

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

_____	:	CASE NO. 5:19-cv-00002
REBECCA J. GERBER,	:	
	:	OPINION & ORDER
Plaintiff,	:	[Resolving Doc. 1]
	:	
vs.	:	
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	
_____	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On January 2, 2019, Plaintiff Rebecca J. Gerber filed a complaint seeking judicial review of Defendant Commissioner of Social Security's decision to deny her social security disability benefits application.¹ On November 7, 2019, Magistrate Judge Jonathan Greenberg recommended that the Court vacate the Commissioner's final decision and remand the case for further proceedings.²

Magistrate Judge Greenberg ordered the parties to file objections, if any, within fourteen days.³ Neither party objected, and the time to object has expired.

Under the Federal Magistrates Act, a district court must conduct a *de novo* review of those portions of a Report and Recommendation to which the parties have objected.⁴ Absent objection, a district court may adopt a Report and Recommendation without

¹ Doc. [1](#).

² Doc. [18](#).

³ *Id.* at 33.

⁴ [28 U.S.C. § 636\(b\)\(1\)](#).

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review.⁵

Here, no party has objected to the Report and Recommendation, so this Court may adopt the Report and Recommendation without further review. Moreover, having conducted its own review of the petition and record, the Court agrees with Magistrate Judge Greenberg's conclusions.

Accordingly, the Court **ADOPTS** Magistrate Judge Greenberg's Report and Recommendation, incorporating it fully herein by reference, **VACATES** the Commissioner's final decision, and **REMANDS** the case for proceedings consistent with this opinion.

IT IS SO ORDERED.

Dated: December 5, 2019

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁵ *Thomas v. Arn*, 474 U.S. 140, 149 (1985); L.R. 72.3(b).